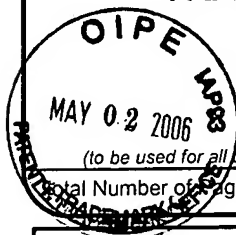


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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

16

Application Number

10/679,015

Filing Date

October 2, 2003

First Named Inventor

Vivek P. Singhal, et al.

Art Unit

2166

Examiner Name

Setlak, Andrew T.

Attorney Docket Number

035574-003

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☐ Fee Attached☒ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
(please identify below):

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Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

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THELEN REID & PRIEST LLP

Signature

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Marc S. Hanish

Date

April 28, 2006

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42,626

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



APPLICANT: Vivek P. Singhal, et al.
SERIAL NO.: 10/679,015
FILING DATE: October 2, 2003
TITLE: HIGH AVAILABILITY VIA DATA SERVICES
EXAMINER: Setlak, Andrew T.
ART UNIT: 2166

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Commissioner for Patents
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Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This paper is responsive to the Restriction Requirement mailed March 30, 2006. Please amend the above-identified application as follows:

A listing of the Claims begins on page 2 of this paper.

Remarks begin on page 14 of this paper.